

§ 52.2234

37917; Air Pollution Control Bureau, Metropolitan Health Department, 311 23rd Avenue North, Nashville, Tennessee 37203; Chattanooga-Hamilton County Air Pollution Control Bureau, 6125 Preservation Drive, Chattanooga, Tennessee 37416; Memphis-Shelby County Health Department-Air Pollution Control Program, 814 Jefferson Avenue, Memphis, Tennessee 38105, rather than to the EPA's Region 4 office.

[42 FR 36456, July 15, 1977, and 43 FR 26410, June 19, 1978, as amended at 50 FR 7779, Feb. 26, 1985; 68 FR 11324, Mar. 10, 2003; 68 FR 74490, Dec. 24, 2003; 74 FR 55144, Oct. 27, 2009]

§ 52.2234 Visibility protection.

(a) *Regional Haze.* The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Tennessee on April 4, 2008, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO_x and SO₂ from electric generating units. EPA has given limited approval and limited disapproval to the plan provisions addressing these requirements.

(b) [Reserved]

(c) *Measures Addressing Limited Disapproval Associated with NO_x.* The deficiencies associated with NO_x identified in EPA's limited disapproval of the regional haze plan submitted by Tennessee on April 4, 2008, are satisfied by § 52.2240.

(d) *Measures Addressing Limited Disapproval Associated with SO₂.* The deficiencies associated with SO₂ identified in EPA's limited disapproval of the regional haze plan submitted by Tennessee on April 4, 2008, are satisfied by § 52.2241.

[77 FR 24397, Apr. 24, 2012, as amended at 77 FR 33658, June 7, 2012; 77 FR 70693, Nov. 27, 2012]

§ 52.2235 Control strategy: Ozone.

(a) Determination—EPA is determining that, as of August 8, 1995, the Nashville ozone nonattainment area has attained the ozone standard and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to the area

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for so long as the area does not monitor any violations of the ozone standard. If a violation of the ozone NAAQS is monitored in the Nashville ozone nonattainment area, these determinations shall no longer apply.

(b) Nonregulatory provisions for the implementation of a basic I/M program in Rutherford, Sumner, Williamson, and Wilson Counties, submitted on July 13, 1994, were approved by EPA on September 26, 1995.

(c) Determination of Attaining Data. EPA has determined, as of October 12, 2010 the Knoxville, Tennessee nonattainment area has attaining data for the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.918, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standards for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

[60 FR 40292, Aug. 8, 1995, as amended at 60 FR 47290, Sept. 12, 1995; 75 FR 62472, Oct. 12, 2010]

§ 52.2236 Control strategy; lead.

(a) The Tennessee Department of Environment and Conservation has submitted revisions to the Tennessee SIP on October 6, 1994. These revisions address the requirements necessary to change a lead nonattainment area to attainment. The maintenance plan for the Fayette County area near Rossville, Tennessee is comprised of a maintenance demonstration and NSR/PSD program. For areas where the only lead source has shut down, these components are sufficient for an approvable maintenance plan. The State's maintenance plan is complete and satisfies all of the requirements of section 175(A) of the CAA.

(b) *Determination of attaining data.* EPA has determined the Bristol, Tennessee, nonattainment area has attaining data for the 2008 lead (Pb) NAAQS. This clean data determination suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures,

and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 2008 Pb NAAQS.

[60 FR 43020, Aug. 18, 1995, as amended at 77 FR 52233, Aug. 29, 2012]

§ 52.2237 NO_x RACT and NO_x conformity exemption.

Approval. EPA is approving the section 182(f) oxides of nitrogen (NO_x) reasonably available control technology (RACT) and NO_x conformity exemption request submitted by the Tennessee Department of Environment and Conservation on March 21, 1995, for the five county middle Tennessee (Nashville) ozone moderate nonattainment area. This approval exempts the area from implementing federal NO_x RACT on major sources of NO_x and exempts Tennessee from NO_x conformity. This approval does not exempt sources from any State required or State Implementation Plan (SIP) approved NO_x controls. If a violation of the ozone NAAQS occurs in the area, the exemption from the requirement of section 182(f) of the CAA in the applicable area shall not apply.

[61 FR 54946, Oct. 23, 1996]

§ 52.2239 Original Identification of plan section.

(a) This section identifies the original “Tennessee Air Pollution Control Implementation Plan” and all revisions submitted by Tennessee that were federally approved prior to December 1, 1998.

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Certification of public hearing submitted on February 3, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(2) Miscellaneous corrections to emission inventories submitted on February 10, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(3) Statements of intent for intergovernmental cooperation submitted on April 13, 1972, by the Division of Air

Pollution Control of the Tennessee Department of Public Health.

(4) City of Memphis Air Pollution Control Code submitted on April 27, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health and the Memphis and Shelby County Health Department.

(5) Minor addition to the Tennessee Code, Section 53-3422, submitted on May 3, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(6) Clarifying comments on the plan submitted on May 8, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(7) Statement of public availability of emission data submitted on May 12, 1972, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(8) Miscellaneous changes to Chapters II, III, VII, IX and XII of the plan; regulations of Memphis-Shelby County and Knoxville-Knox County and resolutions concerning local programs of Davidson, Hamilton and Shelby Counties submitted on August 17, 1972, by the Governor.

(9) Revised emission limits for asphalt plants, cotton gins and Kraft mills and establishment of new source performance standards submitted on February 16, 1973, by the Tennessee Department of Public Health.

(10) Compliance schedules submitted on March 23, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(11) Compliance schedules submitted on April 16, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(12) Certification of public hearing on February 16, 1973, submission submitted on April 30, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(13) Compliance schedules submitted on May 15, 1973, by the Division of Air Pollution Control of the Tennessee Department of Public Health.

(14) Clarifying comments on the February 16, 1973, submission submitted on